

Proposed Addition to Chapter 20, Special Provisions

Section 6. Prohibition of Unauthorized Application of Pesticides

- A. Except as provided by Chapter 20.6(C) below, no person may contract with, or otherwise engage, a pesticide applicator to make any pesticide application to property unless that person is the owner, manager, or legal occupant of the property to which the pesticide is to be applied, or that person has the consent of the owner, manager or legal occupant to enter into an agreement for pesticide applications to be made to that property. The term "legal occupant" includes tenants of rented property.
- B. Except as provided by Chapter 20.6(C) below, no person may apply a pesticide to a property of another unless prior consent for the pesticide application has been obtained from the owner, manager or legal occupant of that property. The term "legal occupant" includes tenants of rented property.
- C. The requirements of Chapter 20.6(A) and (B) shall not apply when the pesticide application is made by or on behalf of the holder of an easement or right of way, for the purposes of maintaining such easement or right of way.
- D. No commercial applicator may perform ongoing, periodic pesticide applications to a property unless there is a signed, written agreement with the property owner, manager or legal occupant that explicitly states that such pesticide applications shall continue until a termination date specified in the agreement, unless sooner terminated by the applicator or property owner, manager or legal occupant. The agreement must provide that termination of the pesticide applications by the property owner, manager or legal occupant may be made either orally or in writing, and that the applications will stop immediately upon notice of such termination.